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MEMORIAL

OF THE

COMMISSIONERS

OF

THE STATE OF NEW-YORK,

IN

BEHALF OF SAID STATE;

PRAYING

THE AID OF THE GENERAL GOVERNMENT IN OPENING A COMMUNICATION

BETWEEN

THE NAVIGABLE WATERS

OF

Hudson River and the Lakes.

December 11, 1816.

Referred to the Committee on so much of the President's Message as relates to Roads and Canals.

WASHINGTON:

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MEMORIAL.

To the honourable, the Senate and House of Representatives of the United States, in Congress, the representation of commissioners of the State of New-York, in behalf of the said State,

RESPECTFULLY SHOWETH....

That the legislature of the said State, in April last, passed an act to provide for the improvement of their internal navigation, of which act we take the liberty of transmitting herewith a copy. In this it will be seen that a board of commissioners is constituted, and that, among other duties enjoined upon them, they are required to make application to the government of the United States, for cessions, grants or donations of lands, or money, for the purpose of aiding in opening a communication, by means of canals, between the navigable waters of Hudson's river and lake Erie, and the said navigable waters and lake Champlain. To fulfil this requisition, then, is the object of this address.

Next to the establishment and security of the right to self-government, we flatter ourselves, that no subject requiring legislative interference, can be found more interesting than the one which we are charged to lay before your honourable body. And we venture to solicit your favourable consideration

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of it, in full confidence, that an enlightened public spirit, may justly give to it such a measure of patronage as cannot fail to produce signal benefits to the nation.

The benefits to be acquired by the United States, from the construction of these canals, will most obviously and immediately affect their pecuniary and their political interests. More remotely, indeed, they will exert a favourable influence upon every object embraced within the scope of an enlightened and paternal policy. If we consider the extent and fertility of our territory north-west of the Ohio—the large proportion of it, which yet remains unsold—the disposition and the ability, which our eastern fellow-citizens possess to purchase and to improve it, we cannot be insensible of the great pecuniary advantage which would result from opening to them a safe, easy, and economical passage into that territory. Every dollar saved to them, in the expenses of removing thither, would operate to enhance the value of the public lands, and at the same time, to hasten their settlement: and it is obvious, that a canal from the Hudson to lake Erie would save a large portion of these expenses. The number of persons to be affected, by this consideration, cannot be accurately stated. It certainly would not be small. We are well assured, that, in the course of one year, since the war, more than twelve thousand new settlers, almost exclusively from the east, have established themselves within the limits of this State, west of the Genessee river.

Whatever adds to the value of all that land produces must increase the value of land itself. To a country, which depends upon a distant market for the sale of its surplus productions, it is of great importance to afford every possible facility

of transportation; for all that is taken from the expense of transportation is added to the value of the articles transported: and by cheapening the rate of carriage many articles are rendered valuable, which would otherwise be worthless.

Moreover, if habit, or the necessary accommodation of life, require that such a country should consume foreign goods to the amount of all its surplus productions, it is evident that the land-holder there, enjoys a twofold benefit in every increased facility of transportation. Perhaps the whole of the country between the great lakes, the Mississippi and the Ohio, (certainly the greater part of it,) would derive, from the completion of our principal canal, greater advantages for distant communication than any country, so far inland, has hitherto enjoyed, and incomparably greater than that country can ever derive from any other means. Regarded, then, merely as a measure of pecuniary wisdom, we trust your honourable body will make such an appropriation in favour of it as will ensure its accomplishment.

But considerations of a political nature seem, to us, most urgently to recommend the construction of these canals. The great influence exercised over the western Indians, even in our own territory, by the subjects of a foreign government, we have always had numerous reasons to wish destroyed. This influence depends, materially, upon establishments erected for the promotion of the fur trade. Any measure that would open, between one of our sea-ports and the region where furs are collected, a road, in all respects preferable to any other, besides drawing to our own citizens a profitable commerce, would tend, eventually, to the subversion of that influence, and, in the mean time, offer to us important facilities for controlling it.

The trade carried on between our country and the Canadian provinces is already considerable, and is rapidly growing. The fruits of the earth from the southern shores of Erie and Ontario, and from the borders of Champlain, find their way to the ports of our northern neighbours cheaper than they can to any, which offers a market, of our own, and are there exchanged for the various commodities of foreign countries. This trade is, indeed, profitable to many of our citizens who engage in it, but it is much more so to the British. Subject to their control, they direct it to the advancement of all their public interests. And it is no mean instrument of that advancement. It is evidently the vital spirit of their internal navigation, which it cannot fail to exalt into a consequence, that may hereafter greatly affect us. Would not the prosecution of our projects to complete effect, result, immediately, in giving to citizens of the United States the entire profits of this trade, and to government all the security and influence connected with a thickly settled frontier, and a most decided superiority of shipping on the lakes?

Nothing can be more certain, than that the continuance of our Union is essential to our freedom. The means of this continuance are to be found only in the strength of our common interests. Whatever extends and consolidates these interests, these must be of distinguished importance to government: and can any thing be imagined, more efficaciously conducive to these objects, than opening to distant sections of our country the means of easy and profitable intercourse? Virtuous and enlightened men, among us, have long delighted themselves with looking forward to the period, when a canal communication between the Hudson

and Lake Erie would afford, to half the United States, more ample means of promoting every social interest, than have heretofore, in any country, been furnished by the accomplishment of any human enterprise.

The advantages of canals were not entirely unknown to ancient governments. Among them, the wisest and most powerful executed works of this kind, in every direction through their territories, for the purposes of agriculture, commerce, and war. The vestiges of many of these are still discoverable, and they are doubtless to be reckoned among the most impressive memorials that remain of ancient greatness. When we recollect the instrumentality which canals have formerly exhibited in collecting the blessings of wealth, strength, and a crowded population for every country through which they passed, and see those very countries, by the neglect and ruin of them, reduced to their original barrenness, can we suppress a conviction of their immense utility? But, it is not alone from history, and the faint traces of them, which have survived the lapse of many centuries, that the advantages of these improvements are to be known. There are proofs more conclusive. Our own times furnish them. In contemplating the present state of Europe, it is impossible not to be struck with the number and extent of her canals. And we perceive that they abound most in those countries where the wants of the social state and the means of power, have been most diligently explored, and are most profoundly understood. We see them there enabling extensive empires to hold in speedy administration, to every public object, all the resources of their most remote sections; and, at the same time, increasing those resources prodigiously by the economical ex-

changes, of which they are the occasion. Experience is always a safe guide. It is especially to be trusted when it has been acquired in the midst of difficulties and dangers, and has been sanctioned by the wisdom of different nations. If, then, in the pressing exigencies of recent events, when every power of national defence and annoyance has been exerted, when all the capacities of men, as individuals, and in political combination, have been remarkably evolved, we observe in that quarter of the globe, a perpetually growing attention to the subject of canals, is it not expedient, is it not wise, for us to engage in making them? No country is more susceptible of all their benefits than ours: none, of large extent, presents fewer impediments to their construction. They constitute improvements peculiarly fit for a republic. They contribute equally to the safety and opulence of the people, and the reputation and resources of the government. They are equally desirable in reference to the employments of peace, and the operations of war. In whatever light they are viewed, they seem to combine the substantial glories of of the most splendid and permanent utility.

But if the execution of those of which we are the advocates, be impracticable, or would involve an expense disproportionate to their value, they can have no claim upon the favour of the national legislature. On these topics, we entertain no doubts. The minute examination which has been made this season, under our superintendence, of all the lands which these canals will traverse, has convinced us, that an expenditure not exceeding ten millions of dollars would be sufficient to perfect them. Shall they remain unattempted? The State of New-York is not unaware of her interests, nor disinclined to prosecute them; but

where those of the general government are united with hers, and seem to be paramount, she deems it her duty to ask for their assistance: Wherefore, in her behalf, we solicit your honourable body to make such an appropriation, in lands or money, to aid in the construction of these canals, as you, in your wisdom, may think reasonable and just.

By order, and in behalf of the said Commissioners, at a meeting held in Albany, on the 10th of November, 1816.

DE WITT CLINTON,
President.

AN ACT

To provide for the improvement of the Internal Navigation of this State, passed April 17, 1816.

1. *Be it enacted, by the people of the State of New-York, represented in Senate and Assembly*, That Stephen Van Rensselaer, De Witt Clinton, Samuel Young, Joseph Ellicott, and Myron Holley, be, and they are hereby appointed commissioners, to consider, devise. and adopt such measures as may or shall be requisite, to facilitate and effect the communication, by means of canals and locks, between the navigable waters of Hudson's river and Lake Erie, and the said navigable waters and Lake Champlain; and in case of the resignation or death of any of the said commissioners, the vacancy thereby occasioned, shall be supplied by the legislature, in the manner in which Senators of the United States, from this State, are directed to be chosen.

2. *And be it further enacted*, That the said commissioners shall choose one of their number, to be president of their board, and shall appoint a fit person for their secretary, who shall be allowed and paid such salary as the said commissioners shall deem proper and reasonable: And the president of the said board of commissioners, shall have power to call a meeting of the same whenever, in his opinion, the public interests require it; and the said board may adjourn from time to time, to meet at any time and place they may deem most conducive to the public good: *And further*, The said commissioners shall have power to employ such and so many agents, engineers, surveyors, drafts-

men, and other persons, as in their opinion may be necessary to enable them to fulfil and discharge the duties imposed upon them by this act, and to allow and pay the said agents, engineers, surveyors, draftsmen, and other persons, for their respective services, such sum or sums as may be adequate and reasonable.

3. *And be it further enacted*, That it shall be the duty of the said commissioners, as soon as may be after the passing of this act, to cause those parts of the territory of this State, which may lie upon or contiguous to the probable courses and ranges of the said canals, to be explored and examined for the purpose of fixing and determining the most eligible and proper routes for the same, and to cause all necessary surveys and levels to be taken, and accurate maps, field-books, and drafts thereof to be made, and further to adopt and recommend proper plans for the construction and formation of the said canals, and of the locks, dams, embankments, tunnels, and aqueducts which may be necessary for the completion of the same, and to cause all necessary plans, drafts, and models thereof, to be executed under their direction.

4. *And be it further enacted*, That the said commissioners, or a majority of them, shall be, and they are hereby authorized and required to make application in behalf of this State, to the government of the United States, and of such States and Territories as may be benefited by the said canals, or either of them, to the proprietors of lands through or near which the said canals, or either of them, may or may be proposed to pass, to all bodies politic and corporate, public or private, and all citizens or inhabitants of this or any other of the United States, for cessions, grants, or donations of land or money, for the purpose of aiding in the

construction or completion of both or either of the said canals, according to the discretion of the several grantors or donors, and to take to the people of this State, such grants and conveyances as may be proper and competent to vest a good and sufficient title in the said people to the lands so to be ceded or granted as aforesaid: and for the purposes above mentioned, it shall be the duty of the said commissioners to open books of subscription in such and so many places as they may think necessary and expedient, and under such rules and regulations as they may from time to time establish: *And further*, It shall be their duty to ascertain whether to any and to what amount, and upon what terms, loans of money may, or can be procured on the credit of this State, for the purposes aforesaid.

5. *And be it further enacted*, That it shall be the duty of the said commissioners to make, or cause to be made, with as much accuracy and minuteness as may be, calculations and estimates of the sum or sums of money which may or will be necessary for completing each of the said canals, according to the plan or plans which may be adopted and recommended by them, for the construction or foundation of the same, and to cause the said calculations and estimates, and all surveys, maps, field-books, plans, drafts, and models authorized and directed by this act, or so many thereof as may be completed, together with a plain and comprehensive report of all their proceedings under and by virtue of this act, to be presented to the legislature of this State within twenty days after the commencement of the next regular annual session thereof.

6. *And be it further enacted*, That the treasurer shall, on the warrant of the comptroller, pay to

the order of a majority of the said commissioners, out of any moneys in the treasury not otherwise appropriated, any sum or sums not exceeding twenty thousand dollars, and for which the said commissioners shall account to the comptroller of this State.

7. *And be it further enacted*, That the act entitled "An act to provide for the improvement of the Internal Navigation of this State," passed the eighth day of April, one thousand eight hundred and eleven, and the act, entitled "An act further to provide for the improvement of the Internal Navigation of this State," passed June the nineteenth, one thousand eight hundred and twelve, be and the same are hereby repealed.

State of New-York, }
Secretary's office. }

I certify the preceding to be a true copy of an original act of the Legislature of this State on file in this office.

R. TILLOTSON,
Secretary of State.

Albany, Nov. 13, 1816.

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